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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/874,524	06/04/2001	Johan Lammens	60019892Z140	5218

7590 07/28/2005
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
Fort Collins, CO 80528-9599

EXAMINER

GRANT II, JEROME

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/874,524	Applicant(s) LAMMENS ET AL.	
	Examiner Jerome Grant II	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3-17-05
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-9, 14, 17-19 and 21 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 11, 13, 15, 16, 20 and 22-24 is/are rejected.
- 7) ☒ Claim(s) 10 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

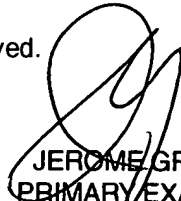
- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.


JEROME GRANT II
PRIMARY EXAMINER

Detailed Action

1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Washio.

With respect to claim 1, Washio teaches the method of preparing for actual hardcopy (output from unit 7) for performing incremental printing of a color image CMYK(out); said method comprising:

Receiving or generating data (via unit 1) representing a device color implementation of the image, including respective initial representations of at least black in (from unit 2) and chromatic color inks (to unit 4) and applying a substantial direct transform to: extract initial representations – note the extraction of the black component is performed by circuit 2 and the black ink is modified by circuit 3. Washio teaches recombining the modified quantity (output from circuit 3) of black ink with the initial representations (results of circuits 5 and 6) taken from circuit 4.

With regard to claim 2, Washio teaches the method of preparing for actual hardcopy (output from unit 7) for performing incremental printing of a color image CMYK(out); said method comprising:

Receiving or generating data (via unit 1) representing a device color implementation of the image, including respective initial representations of at least black in (from unit 2) and chromatic color inks (to unit 4) and applying a substantial direct transform to: extract initial representations – note the extraction of the black component is performed by circuit 2 and the black ink is modified by circuit 3. Washio teaches recombining the modified quantity (output from circuit 3) of black ink with the initial representations (results of circuits 5 and 6) taken from circuit 4.

Regarding the highlights and midtone regions of the image. These regions and other regions of the image are automatically modified by the by the correction circuit 3, shown by figure 1.

With respect to claim 11, Washio teaches the method of preparing for actual hardcopy (output from unit 7) for performing incremental printing of a color image CMYK(out); said method comprising:

receiving or generating data (via unit 1) representing a device color implementation of the image, including respective initial representations of at least black in (from unit 2) and chromatic color inks (to unit 4) and applying a substantial direct transform to: extract initial representations – note the extraction of the black component is

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performed by circuit 2 and the black ink is modified by circuit 3. Washio teaches recombining the modified quantity (output from circuit 3) of black ink with the initial representations (results of circuits 5 and 6) taken from circuit 4. Washio teaches the dark colorant corresponds to black while c, m and y corresponds to the light colorants.

2.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Washio in view of Horiguchi.

Washio teaches all of the subject matter upon which this claim depends. See the recitation of claim 1.

What Washio does not address is applying the recombined data in a print mask.

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Horiguchi teaches taking data which has been recombined (via adder 7) in a print mask for providing hardcopy printing (see abstract lines 1 and 2) and col. 6, lines 44-52.

3.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 15, 16, 20 and 22-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Horiguchi.

With respect to claim 15, Horiguchi teaches an incremental printing system for performing the method of forming an image by construction from dots deposited on a printing medium, where the system and method by the system comprises: a direct device color substantially automatic computation module (elements 2-7) for performing the step of modification by modifying color image data with no manipulation in terms of perceptual color (note Horiguchi does not address perceptual color parameters) and an output incremental printing step performed by a stage for printing modified data. See col. 6, lines 44-52.

With respect to claim 16, Horiguchi teaches an input 1 for receiving such original image data in the form of initial four or more separations and an output (via elements 8, 9, 10 or 11) for directing the output stage.

With respect to claim 20, Horiguchi teaches a printing method as claimed, for the purpose as set forth by the applicant (for the purpose as claimed) note that Horiguchi does not address perceptual color processing hence the limitation of the claim is met. Horiguchi teaches receiving from personnel, (by changing the gamma parameter so that incremental printing is executed via elements 2-7 as shown by figure 1. See also col. 1, lines 5-10 and col. 2, lines 12-18. See also col. 5, lines 35-40 for adjusting for correction via an operator. Horiguchi teaches preparing for incremental printing, directly and automatically implementing changes in represented quantity of black, ink (see address 6 and 7) for colors that have black.

With respect to claim 22, Horiguchi teaches a printing method as claimed, for the purpose as set forth by the applicant (for the purpose as claimed) note that Horiguchi does not address perceptual color processing hence the limitation of the claim is met. Horiguchi teaches receiving from personnel, (by changing the gamma parameter so that incremental printing is executed via elements 2-7 as shown by figure 1. See also col. 1, lines 5-10 and col. 2, lines 12-18. See also col. 5, lines 35-40 for adjusting for correction via an operator. Also regarding this limitation, Horiguchi teaches indicating the change of black by an operator as taught at col. 5, lines 35-40 regarding the changes of tonal values. Horiguchi teaches preparing for incremental printing, directly and automatically implementing changes in represented quantity of black, ink (see address 6 and 7) for colors that have black.

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With respect to claim 23, Horiguchi teaches this limitation is inherent since Horiguchi does not address perceptual colors.

With respect to claim 24, the implementation step of automatic adjustments are set forth by elements 2-7 in view of col. 5, lines 35-40; wherein the total values (due to corrections in gamma) see col. 5, lines 22-25 . Horiguchi teaches applying the data file with the implemented change for hardcopy printing according to col. 6, lines 44-52, see also the abstract.

Claims Objected As Being Allowed

4.

Claims 10 and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5.

Claims Allowed

Claims 3-9 and 14, 17, 18, 19 and 21 are allowed for the reasons presented in the office action mailed March 17, 2005.

6.

Examiner's Remarks

Applicant's remarks have been considered regarding claims 1 and 2 and are moot in view of the new grounds of rejection. Regarding claims 11-13, 15, 16, 22-24, applicant argues that Horiguchi is not prior art because it does not address printing dots. Upon closer view, the claims do not support printing dots. Applicant is arguing limitations which are not in the claims. But assuming they were amended to include these limitations, they would be anticipated in view of col. 5, lines 10-22. Further, applicant argues that Horiguchi does not print anything. The examiner contends that this statement is not true in view of col. 6, lines 49-52 and col. 3, lines 35-40 which addresses the printing of color images obtained from a color reading means.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 571-272-7463. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams, can be reached on 571-272-7463. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Grant II


JEROME GRANT II
PRIMARY EXAMINER